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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/722,627	
	Filing Date	November 26, 2003
	First Named Inventor	Aaron Smith
	Art Unit	3733
	Examiner Name	James L. Swiger, III
Total Number of Pages in This Submission	Attorney Docket Number	5490-000354

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Interview Summary</b> <b>Return Postcard</b>
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Richard W. Warner/Brent G. Seitz	Reg. No.	38,043 /54,435
Signature					
Date	September 4, 2007				

### CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Richard W. Warner	Express Mail Label No.	EV 755 419 184 US (9/4/2007)
Signature		Date	September 4, 2007

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EV 755 419 184 US



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/722,627  
Filing Date: November 26, 2003  
Applicant: Aaron Smith  
Group Art Unit: 3733  
Examiner: James L. Swiger, III  
Title: MINIMALLY INVASIVE CUP IMPACTOR  
Attorney Docket: 5490-000354

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INTERVIEW SUMMARY

Sir:

Applicant's representative, Brent G. Seitz, thanks Examiner Swiger for the courtesies extended during the Telephonic Interview of September 3, 2007. During the interview, the Examiner agreed to consider Applicant's Rule 1.131 Declaration submitted in response to the Office Action dated April 20, 2007. In light of the Rule 1.131 Declaration and Applicant's arguments submitted on July 19, 2007, the Examiner agreed that Applicant has overcome the outstanding rejections and that the case is now in a condition for allowance. The Examiner indicated that a Notice of Allowance will be mailed pending final search and review of this application.

Respectfully submitted,

Dated: Sept. 4, 2007

By: Richard W. Warner  
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